

AMENDED VERSION

Rule 1.01(E)

“Commercial Co-venturer” shall mean any person or entity who is regularly and primarily engaged in the production, trade, sale or commerce of goods other than in connection with the raising or solicitation of funds, assets, or other property for charitable organizations or charitable purposes, who for indirect compensation (including contractually arranged fees, commissions or other monetary remuneration), conducts, promotes, underwrites, arranges, markets, sponsors or advertises a sale, performance, or event of any kind which will benefit, to any extent, a Charitable Organization.

A person or entity who contracts with a Charitable Organization to benefit that charity to any extent, and who receives only indirect compensation limited to goodwill or tax benefits as a result of that contractual agreement, is considered neither a commercial co-venturer nor a professional fund-raiser so long as neither the person (or entity) nor the Charitable Organization conducts, promotes, underwrites, arranges, markets, sponsors, or advertises the relationship to the public during the contract period.

Rule 3.17(A)

A Commercial Co-venturer engaging in a charitable sales promotion is required to file with the Secretary of State notice of the promotion no less than seven (7) days prior to the start of said promotion. Such notice must include a copy of the contract between the Co-venturer and the Charitable Organization.

Rule 3.17 (B)

The Secretary of State also requires a Commercial Co-venturer to file a financial accounting of the charitable sales promotion no later than thirty (30) days after the conclusion of said promotion, if the charitable sales promotion is less than one (1) year. If the promotion period is greater than one (1) year, the Commercial Co-venturer shall file an annual financial accounting each year of the charitable sales promotion no later than thirty (30) days after the anniversary date of the first notice of promotion filing, and shall file a final financial accounting of the charitable sales promotion no later than thirty (30) days after the conclusion of said promotion. The accounting, annual accounting or final accounting shall include the following:

- (a) The number of units of goods or services sold in Mississippi;

- (b) The amount of gross sales in Mississippi;
- (c) The amount of those gross sales paid by the Co-venturer to the Charitable Organization; and
- (d) In the case of a multi-state, national or international campaign, the percentage of total sales in Mississippi paid to the charity.

OLD VERSION WITH CHANGES SHOWN

Rule 1.01(E)

“Commercial Co-venturer” shall mean any person or entity who is regularly and primarily engaged in the production, trade, sale or commerce of goods other than in connection with the raising or solicitation of funds, assets, or other property for charitable organizations or charitable purposes, who for indirect compensation (including contractually arranged fees, commissions or other monetary remuneration), ~~and for no more than sixty (60) days over a twelve (12) month period (the “charitable sales promotion” period)~~, conducts, promotes, underwrites, arranges, markets, sponsors or advertises a sale, performance, or event of any kind which will benefit, to any extent, a Charitable Organization.

A person or entity who contracts with a Charitable Organization to benefit that charity to any extent, and who receives only indirect compensation limited to goodwill or tax benefits as a result of that contractual agreement, is considered neither a commercial co-venturer nor a professional fund-raiser so long as neither the person (or entity) nor the Charitable Organization conducts, promotes, underwrites, arranges, markets, sponsors, or advertises the relationship to the public during the contract period.

Rule 3.17(A)

A Commercial Co-venturer engaging in a charitable sales promotion is required to file with the Secretary of State notice of the promotion no less than ~~thirty (30) days~~ seven (7) days prior to the start of said promotion. Such notice must include a copy of the contract between the Co-venturer and the Charitable Organization.

Rule 3.17 (B)

The Secretary of State also requires a Commercial Co-venturer to file a financial accounting of the charitable sales promotion no later than thirty (30) days after the

conclusion of said promotion, if the charitable sales promotion is less than one (1) year. If the promotion period is greater than one (1) year, the Commercial Co-venturer shall file an annual financial accounting each year of the charitable sales promotion no later than thirty (30) days after the anniversary date of the first notice of promotion filing, and shall file a final financial accounting of the charitable sales promotion no later than thirty (30) days after the conclusion of said promotion. ~~This accounting shall include the following:~~ The accounting, annual accounting or final accounting shall include the following:

- (a) The number of units of goods or services sold in Mississippi;
- (b) The amount of gross sales in Mississippi;
- (c) The amount of those gross sales paid by the Co-venturer to the Charitable Organization; and
- (d) In the case of a multi-state, national or international campaign, the percentage of total sales in Mississippi paid to the charity.